

Mar 30, 2006

NS

Honorable Norma L. Shapiro  
United States District Court  
10614 U.S. Courthouse  
601 Market Street  
Philadelphia, PA. 19106-1765

16

Re: Murray vs Weinstein et al.  
Civil Action No. 05-1550

Dear Judge Shapiro:

MAR 1 2006  
MICHAEL E. KONZ, Clerk  
Dep. Clerk  
By

I concur with the Assistant U.S. Attorney Gerald B. Sullivan that the race-base complaint should be dismissed.

The EEOC advised me that the charge should be unwarranted harassment. My race and religion are the motivating factors for the harassment and unlawful termination.

I apologize for my lengthy response to the U.S. Attorney's correspondence of March 29, 2006. I am trying to defend myself without counsel against the most powerful government in the world that is mistreating me. I am a college graduate with no criminal record.



U.S. Department of Justice  
United States Attorney  
Eastern District of Pennsylvania

Gerald B. Sullivan  
(215) 861-8786  
FAX: (215) 861-8349  
Gerald.Sullivan@USDOJ.gov

615 Chestnut Street  
Suite 1250  
Philadelphia, Pennsylvania 19106-4476  
(215) 861-8200

March 29, 2006

**VIA HAND DELIVERY**

Honorable Norma L. Shapiro  
Senior Judge, United States District Court  
10614 United States Courthouse  
601 Market Street  
Philadelphia, PA 19106-1765

Re: **Murray v. Weinstein, et al.**  
**Civil Action No.: 05-cv-4557**

Dear Judge Shapiro:

I enclose in the above-referenced action courtesy copies of: (1) my Entry of Appearance on behalf of defendants John McEvoy and David Roland (I previously entered my appearance on behalf of defendant Allen Weinstein); and (2) the Government's Motion to Dismiss, with supporting memorandum of law and exhibits. For Your Honor's convenience, I enclose two courtesy copies of the motion papers (which seek dismissal of defendants McEvoy and Roland as well as of plaintiff's race-based discrimination claim), with copies of the supporting exhibits stapled to one such copy and detached from the other.

The originals of all of these documents were filed electronically with the Clerk this afternoon.

Respectfully,

PATRICK L. MEEHAN  
United States Attorney

GERALD B. SULLIVAN  
Assistant United States Attorney

Encls.

cc: Mr. Darryl Murray, pro se (w/ encl.)  
112 W. Champlost Ave.  
Philadelphia, PA 19120

Memo

Apr 3, 2016

To Honorable Judge Norman L. Shapiro  
Senior Judge U.S. District Court  
10614 United States Courthouse  
601 Market Street  
Philadelphia, PA. 19106-1765

From: Plaintiff Danny Murray

Re: Murray vs Weinstein et al  
Civil Action No 05 CV - 7557

Page 6

There is no documentary evidence to support the allegation that I repeatedly ignored instructions by NAIRA officials to cease posting in the workplace posters, signs, flyers, newspaper clippings, and other materials containing racial, political, and religious statements that were offensive.

A former employee Ms Gloria Cruzos was given a letter dated Mar 23, 1995. This letter was prepared by Human Resources and former Director David S. Weber. Poor Ms Cruzos was forced to sign this letter and retaliated by transferring back to NAIRA in St. Louis where she originally worked to avoid coercive misconduct by David S. Weber.

Poor Ms Cruzos never even presented me with this letter. I respect her for that.

Former Asst Director Daniel Bennett was given the assignment to present the letter to me. Mr. Bennett was a good friend of mine; I don't remember if I ever signed a receipt that I received. The allegations in the letter are false. I left one Islamic newspaper article on a desk in another agency's breakroom after routine lunch.

Page 6a cont.

On April 12, 1996 Mr. David S. Weber and I made an agreement that I would not read Jewish newspaper articles in the workplace any more to keep the Catholics off my personal business.

Mr. Sullivan's assertion that I continue to post offensive items to Catholics on Aug 17, 2004 when I was ordered yet again, 9 years later -- this time by my new supervisor Ms. Elizabeth Washington is untrue.

This time Director John McEroy had Human Resources prepare a letter for him and a Catholic coworker I was feuding with. Mr. McEroy had Ms. Washington sign the letter and present to me. I have always had an excellent relationship with everyone of my immediate supervisors who have been Catholic and Jewish. My annual appraisals and cash awards testify to this fact.

In Ms. Washington's affidavit to EEOC she stated that she knew nothing about the letter she signed or any complaints coming thru the chain of command.

Page 6b cont.

My beloved supervisor Ms Washington previously notified Director John McEvoy that the Catholic complainant and I had developed a bad relationship, (she called it a personality conflict), and were on bad terms.

The complainant notified Mr McEvoy, another Catholic that he was offended that I would claim Osama bin Laden was a patsy and framed for the 9/11 attack.

The complainant and Mr McEvoy then secretly and maliciously conspired to deprive me of my livelihood.

My placement on administrative leave and being ejected from the facility's parking lot after responding to my coworkers' concern for my welfare.

This caused me to make the inappropriate comment to my former friend of 25 years security guard James Hughes that, "Somebody ought to knock down the building." I never claimed he would repeat that to anyone. I left the premises immediately to prevent further confusion.

Page 6c cont

I requested several meetings with NARA officials to explain and apologize for the inappropriate comment to security personnel regardless of my personal relationship with Mr. James Hughes.

Fear and hatred of Muslims and Islam is no justification for destroying a 17yr federal employee's life under these circumstances.

NARA officials violation of agency policy, my Constitutional rights, and National agreement to allow me to make an oral response when facing termination has affected the morale in the workplace. NARA is no longer believed to be an Equal Opportunity Employer in the Federal government.

Giving me the death penalty with the extenuating circumstances involved with this case after 17 years of dedicated service evidenced by 17 annual appraisals and cash awards for my contribution to the efficiency of the service is a crime of unjust bigotry. Until "Protected Classes" are better represented in the federal workplace at NARA, the court system and the US Attorney must hold me

Memo

To: Honorable Judge Norma L. Shapiro  
United States District Court  
10614 U.S Courthouse  
621 Market Street  
Philadelphia, PA 19106-1765

From: Plaintiff Darryl Murray

Date: Mar 30, 2006

Re: Murray vs Weinstein et al  
Civ Action No 05-4557

This is a statement written by coworker  
Ms Vanessa Adams at the request of  
NAIRA Director John McEroy.

This statement along with other  
documentation included in the BECC's  
Report of Investigation refutes security  
guard James Hughes' contention that I  
tried to enter NAIRA's facility threatening  
to bomb the place.

I was on administrative leave with full pay  
at the time. I had no motive + the



10-27-04

Dear McEvoy

I receive a phone call from Darryl 9-22-04 around 8 or 9 am asking for your phone number. I ask him how ~~are~~ he doing he said he was fine. It was just a misunderstanding He will be back by next week.

Then I receive a phone call from him about 10:30 am. He was asking to speak to Skip. I told him he was on the floor, he ask me to page him and ask him to meet him at the front gate. I page skip about three time and did not get no answer.

Skip came up to the Front Desk about a half hour later and ask me who wanted him and I told him it was Darryl but he left. Skip said that he will call him at home.

000140

LA  
Nerissa Claus

Memo

To: Honorable Judge Norman L. Shapiro  
United States District Court  
106-14 U.S. Courthouse  
601 Market Street  
Philadelphia, PA. 19106-1765

From: Darryl Murray

Date: Mar 30, 2006

Subject: Murray vs Weinstein et al.  
Civil Action No 05-4557-

Please note that the National Archives and Records Administration failed to identify a single offensive item displayed on my CD-ROM when interviewed by the BEUC at my request.

I believe the charge of intimidation will be found to constitute nothing but harassment motivated by a fear and hatred of Muslims and the Islamic religion.

I further believe that the charge of making a threatening remark will be found questionable if not incredible due to

2-2  
eyewitness testimony as well as the fact  
that my former associate / friend Security  
guard James Hughes failed to notify the  
official in charge Assistant Director

Dan Bedesin of the Federal Protective  
Service at the time of the incident. Mr.  
James Hughes opted to wait several  
hours for Director John McEvoy to  
arrive at the workplace.

Mr. John McEvoy approached the Security  
guard after learning that I visited the  
building that day, asking him why I was  
there. Mr. James Hughes then alleged that  
I threatened to blow up the place and  
return to the facility.

I only commented to my friend of 2½  
years, in confidence, that somebody ought  
to nuke the place for their mistreatment and  
exploitation of the African American employees.

I never threatened to do any such thing  
and cannot understand why he would  
misquote me and betray my confidence.  
Knowing that I needed my job to support  
my family, I can only speculate as to  
his motives.

Memor:

Date: 02-02-06

Subject: Merits of case (VOS-4557)

I expect the court to find security guard James Hughes' affidavit to be questionable if not incredible for the following reasons:

- A) Mr. Hughes waited several hours to report his allegation of a threatening remark.
- B) Mr. Hughes neglected to inform Asst. Director Dan Bedesom to take defensive action to secure the building and protect the employees.
- C) Mr. Hughes' allegations are refuted by an eyewitness employee of NARA.

I expect the court to find harassment and infringement of my constitutional rights to freedom of speech and freedom of expression.

- A) The insubordination charge is frivolous, malicious, and the result of hostile sentiments towards the Islamic religion.

I expect the court to find evidence of misconduct on NARA's behalf for the following reasons

- A) Coworker complaint not filed through the proper chain of command. Complaint could have been resolved at a lower level.
- B) Manipulation of evidence and witnesses. Failure to identify offensive materials, Forcing supervisor to sign letter she didn't write.
- C) Allegations from management of my association with Osama bin Laden and Al Qaeda. This is slander and character assassination.

I expect the court to find misconduct on NARA for the following:

- A) Violation of Disciplinary Guide procedures. The Administrative Leave letter of Sept 16, 2011 failed to list any specific charges.
- B) Failure to allow me to make an oral statement in my defense. Failure to participate in ADK.
- C) Failure to conduct an investigation prior to Sept 16, 2011.

I expect the court to find evidence of the following:

- A) The prohibition against my reading materials in a private work area constitutes harassment
- B) Past efforts by NARA to suppress my advancement opportunities. Failure to promote over less qualified employees
- C) Disciplinary actions involving loss of pay for questionable acts of misconduct were maliciously motivated
- D) Malice on NARA's behalf involving the use of threats and intimidation of witnesses. Specifically Ms Irene Jones & Liz Washington.
- E) Attempt to build a case against me using past incidents unrelated to the current charges against me.
- F) NARA's bad faith & behavior is unfair, unjust and unlawful.

# TEMPLE UNIVERSITY

OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

BY AUTHORITY OF THE BOARD OF TRUSTEES AND UPON RECOMMENDATION  
OF THE FACULTY HEREBY CONFERS UPON

## **Burrill Murray** THE DEGREE OF **Bachelor of Arts**

TOGETHER WITH ALL THE RIGHTS, PRIVILEGES AND HONORS APPERTAINING  
THERETO IN RECOGNITION OF THE SATISFACTORY COMPLETION  
OF THE COURSE PRESCRIBED BY THE FACULTY OF THE UNIVERSITY  
IN TESTIMONY WHEREOF THE UNDERSIGNED HAVE SUBSCRIBED  
THEIR NAMES AND AFFIXED THE SEAL OF THE UNIVERSITY  
GIVEN • AT • PHILADELPHIA • PENNSYLVANIA • ON • THIS • TWENTY • FIRST • DAY • OF  
MAY • NINETEEN • HUNDRED • AND • EIGHTY • SEVEN

CHAIRMAN OF THE BOARD OF TRUSTEES

*Richard D. O'Keefe*

SECRETARY OF THE UNIVERSITY

*William C. Taylor*



RESIDENT OF THE UNIVERSITY

*Alfred S. S. S. S.*

DEAN

*John S. Cullen*



GERMANTOWN

HIGH SCHOOL

YEAR ENDING JUNE 1961

REPORT OF MURRAY DARRYL

PUPIL NO. 212-472-9

CURR.

GRADE 12 GROUP NO. 109

ADVISER WEIDER

PRINCIPAL WALTER J SCRIVEN

EXPLANATION OF RATINGS		SUBJECT	PERIODS PER WEEK	FIRST REPORT		SECOND REPORT		THIRD REPORT		END OF YEAR	
Achievement in relation to work planned for the subject, including use of time and materials, neatness and care in work, preparation for and participation in class work. Ratings from beginning of year to date.	GRADE			BEHAV.	GRADE	BEHAV.	GRADE	BEHAV.	GRADE	BEHAV.	
Obedience to regulations, respect for property and rights of others, honesty, truthfulness, courtesy. <td></td> <td>ENGLISH 4 *</td> <td>05</td> <td>B</td> <td>1</td> <td>B</td> <td>1</td> <td>B</td> <td>1</td> <td>B</td> <td>1</td>		ENGLISH 4 *	05	B	1	B	1	B	1	B	1
		SOC SCI *	05	B	1	B	1	B	1	B	1
		HUM PROB	05	C	1	B	1	B	1	B	1
		AFRAMEHIST	05	B	1	A	1	B	1	A	1
		SPANISH 4	05	B	1	A	1	A	1	A	1
		PHYS ED	03			C	2	B	1	A	1
		HEALTH 4	01			B	1	A	1	A	1
		CHORUS 4	01			A	1	A	1	A	1
SUBJECT RATING SCALE A -- Excellent B -- Good C -- Average (Fair) -- Lowest D -- Clearly below average (barely passing)		Parent-Teacher Conference Date									
BEHAVIOR RATING SCALE 1 -- Excellent 2 -- Satisfactory 3 -- Unsatisfactory		SIGNATURE OF PARENT OR GUARDIAN									
Your signature above indicates that you have examined the report; it does not necessarily signify approval.		Adviser's Rating of Pupil's Behavior as a Citizen in Home, School & Community.									
Please Read the Other Side of this Report Carefully		GRADE NEXT YEAR									
THE SCHOOL DISTRICT OF PHILADELPHIA		DAYS PRESENT									
FORM 5510C- (1/79) PUPIL'S REPORT, SENIOR VOCATIONAL-TECHNICAL HIGH SCHOOLS		DAYS ABSENT									
ATTENDANCE INCLUDES		TIMES LATE									





# National Archives and Records Administration

MID ATLANTIC REGION

14700 TOWNSEND ROAD

PHILADELPHIA, PENNSYLVANIA 19154-1025

<http://www.nara.gov>

Date: 01 July 1998

Subject: Letter of Recommendation

To whom it may concern;

Let it be known that I have had the privilege of working with Mr. Darryl Murray. He is among the very few top-notch employees that provides both excellent internal, as well as external, customer service.

His ability and willingness to perform any job, with minimal training and without regard to difficulty, makes this employee a prime candidate for any business situation.

There have been countless times when Mr. Darryl Murray has assisted me in difficult situations only to sacrifice himself through missed breaks, shortened lunches, and extended hours at the job site. This is the kind of employee that every supervisor needs as an assistant.

Waste no time contemplating whether(or not) you should hire this individual. You may never again be in a position to hire such an outstanding individual for your company's staff.

I definitely would re-hire Mr. Darryl Murray anytime. Do not miss your chance.

Sincerely,

Andrew J. Ruesche,  
Supervisory Archives Specialist  
(314) 425-5762

## PAY AND LEAVE STATEMENT

HIRE DATE

PAY DATE

GENERAL SERVICES ADMINISTRATION		EMPLOYEE NAME		SSN		RET		RET %		OFFSET BASE		FLSA		T/A SEQ NO	
BLOCK NO		AGY		MURRAY, DARRYL		171-56-5399		K		.00800		11-27-2004		12-08-2004	
NO508		NO		MURRAY, DARRYL		171-56-5399		K		.00800		11-27-2004		12-08-2004	
SCHD NO		PAY PLAN		GRST		RETAIN PP		GRST		HOURLY RATE		ANNUAL SALARY		ANNUAL ANNUITY AMOUNT	
0000		GS		03/06						12.36		25789.00		06-27-2004	
FEDERAL TAX		STATE TAX		LOCAL TAX		CD		VOL		EXEMPT		MS		OPT	
EXEMPT		M/S		OPT		EXEMPT		M/S		OPT		CD		VOL	
01		S		00		S		00		S					
TSP		TSP		TSP		TSP		TSP		MED		GROSS		OASDI	
ERATE		EAMT		BASE		PRORATE G		PRORATE F		PRORATE C		GROSS		MO TRANSIT	
80.00		98.88		98.88		567.65		567.65		567.65		567.65		YTD TRANSIT	
EARNINGS/GROSS		DEDUCTIONS/NET		BASIC LIFE		MEDICARE		OASDI		RET FERS EMP		GROSS PAY		T/A SEQ NO	
TYPE		BASE		AWARD AMT		FLSA OT		LUMP SUM AL		GROSS PAY		T/A SEQ NO		T/A SEQ NO	
T&A		98.88						506.76		605.64		T/A SEQ NO		T/A SEQ NO	
ADJ		23346.88		500.00		129.70		506.76		24493.34		T/A SEQ NO		T/A SEQ NO	
YTD												24493.34		T/A SEQ NO	
TYPE		FED TAX		TSP LOAN		TSP LOAN		BASIC LIFE		MEDICARE		OASDI		RET FERS EMP	
NO/DISSUE		03		I		04		A		4.20		8.23		35.19	
T&A		126.69		31.58		4.20		8.23		35.19		K		79	
ADJ		2385.18		420.56		789.50		104.40		341.31		1459.39		186.77	
YTD														1467.36	
BAL															
TYPE		STATE TAX		LOCAL TAX		HBI EMP		TSP EMP		NET PAY		T/A SEQ NO		T/A SEQ NO	
NO/DISSUE		PA		M		001		M		111		A		313.50	
T&A		22.14		25.33		37.99		943.75		840.00		4786.47		15231.33	
ADJ		724.23		1055.92		943.75		840.00		4786.47					
YTD															
CUM															
BAL															
TYPE		W-2TSP ADDRESS		NET PAY ADDRESS		BOND ADDRESS		BOND ADDRESS		BOND ADDRESS		BOND ADDRESS		BOND ADDRESS	
112 WEST CHAMPILOST AVE.		PA 19120		NO CHANGE TO NET PAY ADDRESS		INFORMATION FROM LAST PAY PERIOD		INFORMATION FROM LAST PAY PERIOD		INFORMATION FROM LAST PAY PERIOD		INFORMATION FROM LAST PAY PERIOD		INFORMATION FROM LAST PAY PERIOD	
PHILADELPHIA		PA 19120		BENEFITS PAID BY GOVERNMENT FOR YOU		BENEFITS PAID BY GOVERNMENT FOR YOU		BENEFITS PAID BY GOVERNMENT FOR YOU		BENEFITS PAID BY GOVERNMENT FOR YOU		BENEFITS PAID BY GOVERNMENT FOR YOU		BENEFITS PAID BY GOVERNMENT FOR YOU	
TYPE		BASIC LIFE		HBI		RET FERS		MED/OASDI		GOVT TSP		GOVT CUM TSP		OTHER GOVT	
T&A		2.10		113.99		11.07		43.42		.99		5227.93			
ADJ		52.20		2831.75		2513.44		1800.70		767.89		5227.93			
YTD															

*I received five \$100.00 Cash Awards for my contribution to the efficiency of the service. Between fall of 2001 and the spring of 2004.*

*These awards were given to me by my first line supervisor as a reward for my hard first hand knowledge of my good character and conduct.*

# SNELLING PERSONNEL SERVICES

1617 JFK Blvd. Suite 1040 Philadelphia, PA 19103 (215)568-1414 Fax(215)568-1655

May 10, 2005

0A000013M7/EM00000F06

Ken-Crest Services  
Jeanne Baker  
901 E. Ontario St.  
Philadelphia, PA 19134

An integral part of our Program for Employee Relations and Customer Service (PERCS) is the Assignment Merit Evaluation. This evaluation is used to monitor the performance of our employee on assignment for you. In addition, this evaluation is used to consider employees for pay increases, promotions, training, and targeting areas for improvement. Please take a moment to fill out this evaluation. Your candor and honesty will provide us with the continuing guidance that we need to increase the level and quality of service that our company offers. Many thanks for your time and help.

## Assignment Merit Evaluation

Please rate the employee in each of the categories below. Circle your response.

Employee Name **Darryl Murray**  
Job Title **Industrial Worker (Light MFG)**

Start Date **5/3/2005**  
Last Evaluation

Quality of work	100 95 <b>90</b> virtually no errors	85 80 minimal errors	75 70 passable	65 60 careless
Dependability	<b>100</b> 95 90 needs no supervision	85 80 minimal supervision	75 70 needs average supervision	65 60 needs constant supervision
Attendance	<b>100</b> 95 90 never absent or tardy	85 80 seldom absent or tardy	75 70 marginal attendance	65 60 unacceptable attendance
Cooperation/Teamwork	<b>100</b> 95 90 highly cooperative excellent teamwork	85 80 good participation with others	75 70 satisfactory participation	65 60 fails to recognize cooperative role
Quantity/Productivity	<b>100</b> 95 90 always exceeds production requirements	85 80 meets or exceeds production requirements	75 70 meets only minimal production requirements	65 60 below requirements
Initiative	<b>100</b> 95 90 actively seeks new responsibilities and tasks	85 80 generally assumes new responsibilities and tasks	75 70 resistant to new responsibilities and tasks	65 60 refuses new responsibilities and tasks
Personality	<b>100</b> 95 90 exceptional well-liked	85 80 seldom has disputes with others	75 70 frequent misunderstandings with fellow workers	65 60 disliked by fellow workers

Does this employee's qualifications match your job requirements?

**Yes** No

Please feel free to comment on any employee strengths and/or weaknesses

Appraiser name and date

*It has been a pleasure to have Darryl work at our location. He completed the work thoroughly + quite independently. He is well liked by staff.*  
*Jeanne Baker, Prog. Dir. 5/10/05*

Memo:

Date:

Feb 02, 2006

Subject:

Closing Statement

My credibility should be determined by documented evidence of my past and not the opinion of a man fearing reprisal from me for investigating an instance of misconduct on my part.

My work history, relationship with my coworkers and immediate supervisors, my reaction to past disciplinary actions, lack of a criminal record, school records, and affidavits collected by EEOC testify of my good character and credibility.

NAIWA officials testified that prior to this incident I was always polite and cordial.

Prior to hostile coworker Mitchell Buffone's charge that I offended him and created a hostile work environment, there has never been a documented complaint against me from anyone working at NAIWA.

There is eyewitness testimony from a 17 year veteran employee that security guard James Hughes allegations are false. Mr. Hughes misrepresented our conversation to NAIWA for

My removal from Federal service was the result of abuse of power and a hostile group of NARA officials

I believe reprisal against Muslims for 9/11 was a factor in alleging my written materials to be offensive. It was just an excuse to conceal a more sinister plan to terminate my employment.

NARA officials testified to EEOC that I was somehow connected to or supported Osama bin Laden and Al Qaeda.

The insubordination charge which formed the basis for my removal from Federal service was baseless, petty, pathetic, and childish abuse of power

Calling my friends a "snitch committee" and declaring my vote for Kerry on Nov 11, 2004 was called offensive and insubordination.

When I was placed on administrative leave on Sept. 16, 2004, I believed that management would be reprimanded by their Supervisors for religious harassment.

Memo

Date Feb. 2006

Subject: Threatening Remark Allegation Unrealistic

Being a 17 year employee of NARA has afforded me a great deal of personal information about my coworkers and management

I know what time every employee arrives and departs from work every day.

I know the security guard works from 6:00am to 4:00pm Monday - Thursday

I know the make, model, year, and color of every employee's car.

I know that management is alone in the office area from 4:30 - 5:00pm on most days with no guard at the first front door of the building.

I know the access code to the lock on the inner door. I know what time the loading dock doors are open for shipping and receiving.

I know how to get manager's cell phone numbers and home addresses if I want them.

If I wanted to hurt somebody at NARA  
I know how, when, where, and what time to do it

If I wanted to scare management with a  
bomb threat I would do it over the phone  
anonymously.

I would never bring a gun, bomb, or any  
kind of weapon on to government property  
knowing the penalty carries a mandatory sentence  
of 20 years to life in prison.

Security guard James Hughes definitely has an  
active imagination that could have given this  
incident a tragic ending if I were a violent person.

The only victims harmed by this incident have  
been me and my family.

Some type of justice is going to be served before  
I can ever let this crime go.

I want James Hughes investigated and charged  
with misconduct for his role in this incident.

I want John McEvoy investigated for misconduct  
involving harassment, abuse of power and  
unlawful termination.

Memo  
Date Jan. 2006  
Subject: Civil Rights Act 1991  
Unlawful Harassment & Discrimination  
Religion Motivating Factor

NARA's management instituted an unlawful order restricting my freedom of religious expression and freedom of speech on subjects dealing with race, religion, and political issues.

NARA's insubordination charge for alleged violation of this order formed the basis for the termination of my 17 year career.

NARA's charge of making a threatening remark to a security guard is refuted by the testimony of eyewitness Ms Irene Jones, employee. The absence of a motive also makes Mr Hughes allegations of a threatening remark incredible. A Federal Protective Services investigation yielded insufficient evidence to impose criminal penalties.

The actions and attitude of NARA's officials in this matter are indicative of the harassment I have experienced for most of my years as a NARA employee.



## Summary:

## History of Employment at NAIRA

1. Started work at NAIRA 1987 Position Title Archives Aird GS-3 level
2. Applied for promotion to GS-4 several times; promotion always denied - same reason; another more qualified candidate selected; completely untrue
3. Harassed and tormented for years by the status quo clique & Director Dave S. Weber
4. Warning Letter 1995; Charged with displaying materials with anti-Catholic theme
5. 1996 Charged with Insubordination; Proposal to suspend cancelled.
6. Peace Treaty signed with Dave S. Weber
7. 1997 Dave S. Weber launches draconian attack; proposes need 14 day suspension
8. False charges fueled by misinformation

215

The incident is a set-up from the beginning. I am seduced by his fork tongue into working on a special assignment with no quotas and no time limit. Weber accuses me of lying about the time I spent working on the assignment.

9. David S. Weber eventually demoted misconduct related to racism and discrimination.
10. 1997 New Director James Mount. Deciding official sides with Dave Weber out of ignorance of the case, enforces 14 day suspension.
11. 2000 New Director Dave Roland in office. Peaceful relations established for about two years. After his promotion to Asst. Regional Administrator he becomes less concerned about oppressed and exploited GS-3 & GS-4 level employees.
12. July 2001 Roland's friend John McEvoy given a supervisor position; he quickly appoints himself boss of other supervisor.
13. 2003 John McEvoy promoted to new Director. He is new Dragon in Office.

14. 2003 John McEvoy proposes 3 day suspension for carelessness / neglect of duty; miscount of completed work, a repeat of the 1997 charge; fabricated evidence supplied by two hostile coworkers with an axe to grind. Management would never accept this defense from me; refuses to meet with me to discuss my concerns.
15. John McEvoy, supervisor at this time seizes authority over my supervisor and proposes a 3 day suspension for me. my enemies at NARA have found an ally in John McEvoy to do their dirty work.
16. Director Dave Toland signs his signature as the proposing official for the suspension masterminded by John McEvoy
17. V. Chapman Smith Regional Administrator signs her signature as deciding official without ever meeting with me. John McEvoy handles this incident from beginning to end. Strange indeed.
18. Aug 16, 2003 John McEvoy issues a warning letter charging me with displaying offensive materials on my desk.

415

This is a repeat of the 1995 letter issued by David S Weber, Mitchell Buffone and John McEvoy have been studying my personnel file. Draconians are experts at creating a paper trail.

19. Sept 16, 2003 John McEvoy places me on administrative leave pending the outcome of an investigation into unknown charges of misconduct. This is a violation of NARA official policy; employees must be interviewed and informed of specific charges.
20. Sept 22, 2003 Security guard, friend/associate of 2 1/2 yrs accuses me of threatening to blow up NARA after notifying me that management request that I leave the premises. James Hughes makes this allegations after meeting with John McEvoy several hours after the incident. Careful scrutiny reveals his story to be incredible. His own eyewitness calls him a liar. John McEvoy threatens his eyewitness with termination. Asst Director Dan Beckleson who requested my departure has no knowledge of any threatening remarks. The mystery continues

21. Oct 4, 2004 I file EEOC report <sup>5/5</sup>
22. Oct 21, 2004 Union Rep responds to NARA's proposal to terminate in writing
23. Nov. 16<sup>th</sup>, 2004 Dave Roland Asst Regional Administrator terminates my employment
24. Aug 4, 2005 Allen Weinstein, Archivist of United States accepts NARA's decision to terminate in his final agency decision.
25. Aug 31, 2005 I file civil action in Eastern District Court, CVOs 4557

Memo:

Date: Jan 06, 2006

Subject: Hostility, Harassment, and Conspiracy  
Charges of Misconduct Against NARA

1987 Hired as intermittent employee at NARA  
GS-3 level Archives Aid

1989 Temp. Appointment Pending Establishment of  
Registrar (TAPER) GS-3 level employee

1995 Warning letter for leaving Islamic  
article in Veteran Administration smoke room;  
Catholic employee in V.A. called article  
offensive.

1996 Hired as Permanent Employee GS-3  
NARA forced to hire all TAPER employees  
with 3yrs of continuous service.

Hostile director David S. Weber steps  
up his efforts to terminate me. He is  
a racist with passionate hate for  
educated blackmen.

David Weber proposes 14 day Suspension  
for some nonsense I can't even remember  
He is talked into dropping his proposal

1997 Promotion to GS-4 level denied  
I am the most qualified candidate  
with education, experience, length of service

Misinformation enrages David Weber; he  
believes I violated his trust in me. He sets  
me up for a 14 day suspension for falsifying  
my daily work log. This was classic set up

1998 Promotion to GS-4 level denied again.  
Deciding official is a mystery person.  
NARA declares she can promote  
whomever she wants even a less qualified  
candidate. Many promotions given to white  
males outside the agency.

2001 Counseling letter for Arabic writing  
on a personal junk box called offensive.  
Coworker mistakenly used box to mail  
work to SSA. Anything dealing with  
Islam, Muslims, or Arabic inscriptions  
called offensive after 9/11

2003

New hostile director John McEvoy  
non-social strict disciplinarian  
equates efficiency with discipline

Conspires with taskmaster and  
overseer coworker Mitchell Buffone  
seeking reprisal for our volatile  
relationship

2004

McEvoy writes Warning Letter to me  
for writing disparaging remarks  
allegedly against Mr. Buffone. Buffone  
ignores the chain of command in filing  
his complaint against me

Aug 17, 2004 Warning Letter

Threatens dismissal for writing racial  
religious, politically offensive statements;  
or disparaging remarks about coworkers

2003

Aug 2003 3 day Suspension

John McEvoy Conspires with Mitchell  
Buffone and coworker Vernell Tate  
to plant fabricated evidence enabling  
McEvoy to propose decide 3 day  
suspension.



16 Sept 2004 John McEvoy places me on Administrative leave; no specific charges filed against me; he says he investigating misconduct

Sept 22, 2004 I visit NARA to see concerned coworkers worried about my job; Asst. director Dan Beckstein ask me to leave premises (parking lot) via message to Security guard James Hughes

I immediately comply with the Asst. director request conflicting in James, "Somebody needs to blow the mother--- up." James and I have known each other for 2 1/2 yrs. We occasionally talk shit about a lot of things

James knows I am talking shit with him by the look on his face and his alleged comment "Watch what you say" Now, why would he say this if I threatened him or the facility? James invents these threats hours after talking to John McEvoy

Sept 24, 2004 John McEvoy Proposal To  
Remove from Federal Service

2 Charges now Filed:

Charge 1: The nonspecific charge from Sept 16, 2004 is up graded to insubordination in the first degree. A baseless pathetic hate inspired charge and crime in my opinion

Charge 2: Making a Threatening Remark

Security Guard James Hughes my impostor friend is now collaborating with John McEvoy's efforts to fire me.

James declares Darryl said "I'm here to blow up the place."

James declares Darryl said, "When I come back I'm blowing up the place."

These are outrageous incredible viscious lies. Eyewitness and co-worker Irene Jones condemns these lies.

Nov 9, 2004

Asst Regional Administrator David Volant, the deciding official letter notifies me of his decision to remove me from Federal service -

Given the false information and charges against me at the time his decision seems fair and just.

I believe his decision would have been different if he was not afraid to sit down with me and allow me to make an oral response to the charges in accordance with agency policy. National Agreement between the employees and the agency allows for an oral response when facing termination.

Aug 04, 2005 Allen Weinstein Archivist of the US proves my failure to make a case for discrimination involving race.

Aug 31, 2005 I file civil action in District Court for unlawful termination involving religious harassment, slander and defamation of character.

Exhibits  
Filed in  
Hard Copy